

03-04-02

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Atty. Dkt. No. SALK1790-6  
(088802-3457)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**


Applicant: Wahl and O'Gorman  
  
Title: FLP-MEDIATED GENE  
MODIFICATION IN  
MAMMALIAN CELLS, AND  
COMPOSITIONS AND CELLS  
USEFUL THEREFOR

Prior Appl. No.: 08/147,912

Prior Appl. Filing Date: 11/03/1993

Examiner: Unassigned

Art Unit: Unassigned

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| <b>CERTIFICATE OF EXPRESS MAILING</b>  |  |
| I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner for Patents, Washington, D.C. 20231. |  |
| EV003594983US<br>(Express Mail Label Number)   | February 28, 2002<br>(Date of Deposit) |
| Joy Day<br>(Printed Name)  |  |
| <br>(Signature)   |  |

**CONTINUING PATENT APPLICATION**  
**TRANSMITTAL LETTER**

Commissioner for Patents  
Box PATENT APPLICATION  
Washington, D.C. 20231

Sir:

Transmitted herewith for filing under 37 C.F.R. § 1.53(b) is a:

☐ Continuation   ☒ Division   ☐ Continuation-In-Part (CIP)

of the above-identified co-pending prior application in which no patenting, abandonment, or termination of proceedings has occurred. Priority to the above-identified prior application is hereby claimed under 35 U.S.C. § 120 for this continuing application. The entire disclosure of the above-identified prior application is considered as being part of the disclosure of the accompanying continuing application and is hereby incorporated by reference therein.

☒ Applicant claims small entity status under 37 CFR 1.27.

Enclosed are:

☒ Cover Sheet, Specification, Claim(s), and Abstract (26 pages).

☒ Formal drawings (3 sheets, Figures 1-3B).

- ☒ Declaration and Power of Attorney, copy from parent.
- ☐ Assignment of the invention to ASSIGNEE\_COMPANY\_NAME.
- ☐ Assignment Recordation Cover Sheet.
- ☐ Small Entity statement.
- ☐ Request for application not to be published with certification under 35 USC 122(b)(2)(B)(i).
- ☒ Information Disclosure Statement(s) filed in the prior application under 37 C.F.R. 1.97 is (are) hereby made of record.
- ☒ Request for Transfer of Sequence Disclosure from related application: The computer readable form in this continuing application is identical with that filed in Application Serial No. 08/484,321, filed June 7, 1995. In accordance with 37 C.F.R. § 1.821(e), please use the computer readable form for the present application. It is understood that the Patent and Trademark Office will make the necessary change in Application No. and filing date for the computer readable form that will be used for the present application. A paper copy of the sequence listing is enclosed herewith.
- ☒ Application Data Sheet (37 CFR 1.76).
- ☐ Preliminary Amendment.
- ☒ Return Receipt Postcard.

The filing fee is calculated below:

|  | Claims<br>as Filed | Included in<br>Basic Fee | Extra<br>Claims | Rate              | Fee<br>Totals |
|--|--------------------|--------------------------|-----------------|-------------------|---------------|
| Basic Fee  |                    |                          |                 | \$740.00          | \$740.00      |
| Total Claims:  | 19                 | - 20                     | = 0             | x \$18.00         | = \$0.00      |
| Independents:  | 1                  | - 3                      | = 0             | x \$84.00         | = \$0.00      |
| If any Multiple Dependent Claim(s) present:  |                    |                          | +               | \$280.00          | = \$0.00      |
|  |                    |                          |                 | SUBTOTAL:         | = \$740.00    |
| <input checked="" type="checkbox"/> Small Entity Fees Apply (subtract ½ of above): |                    |                          |                 |                   | = \$370.00    |
|  |                    |                          |                 | TOTAL FILING FEE: | = \$370.00    |

- ☒ A check in the amount of \$370.00 to cover the filing fee is enclosed.

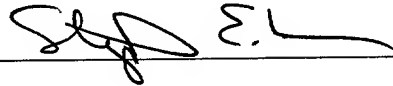
- [ ] The required filing fees are not enclosed but will be submitted in response to the Notice to File Missing Parts of Application.
- [ X ] The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date: February 28, 2002

By



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PATENT

Our Docket: P41 9984

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Wahl and O'Gorman

Serial No.: 08/484,324

Filed: June 7, 1995

For: FLP-MEDIATED GENE MODIFICA-  
TION IN MAMMALIAN CELLS,  
AND COMPOSITIONS AND CELLS  
USEFUL THEREFOR

)  
) Group Art Unit: Unassigned  
)

) Examiner: Unassigned  
)

) I hereby certify that this correspondence is being deposited  
) with the United States Postal Service as first class mail in an  
) envelope addressed to: Commissioner of Patents and Trade-  
) marks, Washington, D.C. 20231 on 08/03/95  
)

By Deborah A. Dugan  
Deborah A. Dugan Reg. No. 37,315  
08/03/95  
Date of Signature

BOX SEQUENCE

Assistant Commissioner for Patents  
Washington, D.C. 20231

STATEMENT UNDER 37 C.F.R. § 1.821(f) and (g)

Sir:

I hereby state, as required by 37 C.F.R. §1.821(f),  
that the content of the paper and computer readable copy of the  
Sequence Listing, submitted in accordance with 37 CFR § 1.821(c)  
and (e), respectively, are the same.

I hereby state, as required by 37 C.F.R. § 1.821 (g),  
that the enclosed submission includes no new matter.

Respectfully submitted,

Date: 08/03/95

Deborah A. Dugan  
Deborah A. Dugan  
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PRETTY, SCHROEDER,  
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